

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAVARIS DAVIS,

Plaintiff,

v.

J. DOERER, et al.,

Defendants.

Case No.: 1:24-cv-01498-SKO (PC)

**ORDER DIRECTING PLAINTIFF TO
PROVIDE A COMPLETE ANSWER IN HIS
APPLICATION TO PROCEED IN FORMA
PAUPERIS BY A PRISONER**

(Doc. 2)

Plaintiff Javaris Davis is a federal prisoner proceeding pro se in this civil rights action.

I. INTRODUCTION

Plaintiff initiated this action by filing a complaint with this Court on December 9, 2024. (Doc. 1) That same date, Plaintiff filed an Application to Proceed In Forma Pauperis by a Prisoner. (Doc. 2.)

II. DISCUSSION

In the application, Plaintiff states he is not employed and does not receive any income from the following sources: business, profession, or other self-employment; rent payments, interest, or dividends; pension, annuity, or life insurance payments; disability or workers' compensation payments; or gifts or inheritances. (Doc. 2 at 1.) Plaintiff responded "Yes" to receiving money from "other sources" within the previous twelve months. (*Id.*) However, Plaintiff failed to complete his response to Question 3(f) because he did not "describe ... each

1 source of money, state the amount received” and indicate whether he expects to “continue to
 2 receive” those funds. (*Id.*) Plaintiff was advised to “attach an additional sheet if necessary”
 3 following an affirmative response to Question 3 (*id.*) but no additional sheet was attached to his
 4 application.

5 Plaintiff also states he does not have any cash or a checking or saving account, does not
 6 own any automobile, real estate, stock, bond, security, trust, jewelry, artwork, or other financial
 7 instrument or thing of value, or other assets. (Doc. 2 at 2.) He also indicates no other persons are
 8 dependent upon him for support. (*Id.*)

9 The Certificate portion of the Application, completed by a representative of the institution
 10 where Plaintiff is incarcerated, states that the current balance of Plaintiff’s trust account is
 11 \$526.28 and within the previous six months the average monthly balance in the account was
 12 \$533.46, with an average monthly deposit of \$65 in the past six months. (Doc. 2 at 2.)

13 Because Plaintiff’s response to Question 3(f) is incomplete and to ensure Plaintiff is
 14 entitled to proceed without prepayment of the required \$405 filing fee for this action, Plaintiff
 15 will be directed to provide a complete response to Question 3(f) before the Court issues a ruling
 16 on his pending application.

17 **III. CONCLUSION AND ORDER**

18 Accordingly, the Court **HEREBY ORDERS** as follows:

- 19 1. The Clerk of the Court is **DIRECTED** to serve Plaintiff with a copy of his application
 20 filed December 9, 2024 (Doc. 2), for ease of reference and as a one-time courtesy,
 21 along with this Order; and
- 22 2. Plaintiff **SHALL** complete his response to Question 3(f) by describing each source of
 23 money, stating the amount(s) received, and indicating whether he expects to
 24 continuing receiving those funds, *in writing and under penalty of perjury*, **within 14**
 25 **days** of the date of this Order.

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IT IS SO ORDERED.

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE